

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

UNITED STATES OF AMERICA

v.

WHITNEY RHEA FUGLER

§  
§  
§  
§  
§

Case No. 2:19-CR-2-3 – JRG-RSP

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
FINDING DEFENDANT GUILTY**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Roy S. Payne regarding defendant's plea of guilty to Count 2 of an indictment charging defendant with a violation of 21 U.S.C. § 843, use of a communication facility in the commission of a controlled substance offense. Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM P. 11, the Magistrate Judge recommends that the Court accept the defendant's guilty plea. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed April 23, 2019, are hereby ADOPTED.

It is further ORDERED that, pursuant to defendant's plea agreement, the Court finds defendant GUILTY of Count 2 of the indictment in the above-numbered cause.

**So ORDERED and SIGNED this 9th day of May, 2019.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE